

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY 8 D.C.
05 AUG 12 AM 11:59
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENNESSEE

GUIDEONE TAYLOR BALL)
CONSTRUCTION SERVICES, INC.)

Plaintiff)

VS.)

CIVIL ACTION NO. 1-02-1299

RICKY HURT d/b/a HURT)
ORNAMENTAL IRON WORKS and)
d/b/a RICKY HURT CONSTRUCTION,)
BILLY GRISWELL d/b/a BILLY)
GRISWELL CONSTRUCTION)
COMPANY, and SOUTHERN)
INDUSTRIAL CONTRACTORS)

Defendants)

AMENDED RULE 16(b) SCHEDULING ORDER

Pursuant to the Order of June 17, 2005, the following dates are
established as the final dates for:

INITIAL DISCLOSURES (RULE 26(a)(1): July 28, 2005

JOINING PARTIES:

For Plaintiff: October 7, 2005

For Defendant: November 7, 2005

AMENDING PLEADINGS:

For Plaintiff: October 7, 2005

For Defendant: November 7, 2005

COMPLETING ALL DISCOVERY:

(a) **REQUESTS FOR PRODUCTION AND**

INTERROGATORIES: March 7, 2006

(b) **REQUESTS FOR ADMISSIONS:** April 7, 2006

(c) **EXPERT DISCLOSURE (RULE 26(a)(2)):**

(i) Plaintiff's Experts: April 14, 2006

(ii) Defendant's Experts: May 15, 2006

(iii) Supplementation under Rule 26(e): May 26, 2006

(d) **DEPOSITIONS:** July 7, 2006

FILING DISPOSITIVE MOTIONS: August 11, 2006

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

(a) For Plaintiff: October 5, 2006

(b) For Defendant: October 20, 2006

Parties shall have ten (10) days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial in this case is expected to last four to five days.

A jury trial date after November 10, 2006 will be set by the Court.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admission must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FED.R.CIV.P. allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FED.R.CIV.P. 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting for the reasons for which a

reply is required.

At this time, the parties have not given consideration to whether they wish to consent to trial before the magistrate judge. The parties will file a written consent form with the court should they decide to proceed before the magistrate judge.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

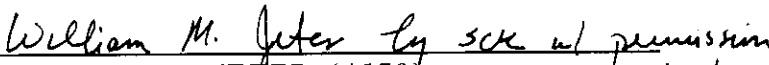
This Order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.


IT IS SO ORDERED.


S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

DATE: August 12, 2005

APPROVED FOR ENTRY:


WILLIAM M. JETER (4579) 7/13/05
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MEMPHIS, TN 38103


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GRISWELL d/b/a BILLY GRISWELL
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Notice of Distribution

This notice confirms a copy of the document docketed as number 44 in case 1:02-CV-01299 was distributed by fax, mail, or direct printing on August 15, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT